

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	Case No. 22-60043
	§	
FREE SPEECH SYSTEMS, LLC,	§	Chapter 11 (Subchapter V)
	§	
Debtor.	§	

AMENDED STIPULATION AND AGREED ORDER

The above-captioned debtor and debtor-in-possession (the “Debtor”) and Neil Heslin, Scarlett Lewis, Leonard Pozner, Veronique De La Rosa, and Marcel Fontaine (the “Texas Plaintiffs”) and David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto Parisi, Carlos M. Soto, Jillian Soto-Marino, William Aldenberg, William Sherlach, and Robert Parker (the “Connecticut Plaintiffs”) (together the “Sandy Hook Families”) hereby enter into this stipulation and agreed order (the “Stipulation”) as follows:

WHEREAS, on July 29, 2022 (the “Petition Date”), the Debtor filed a voluntary petition for relief under subchapter v of chapter 11 of title 11 of the United States Code in the United States Bankruptcy Court for the Southern District of Texas (the “Bankruptcy Court”).

WHEREAS, on July 29, 2022, the Debtor filed its Emergency Motion for an Interim and Final Orders (I) Authorizing the Use of Cash Collateral Pursuant to Sections 105, 361, and 363 of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 4001(B) and (II) Granting Adequate Protection to the Pre-Petition Secured Lender (the “Cash Collateral Motion”) [Dkt. 6].

WHEREAS, on August 2, 2022, the Sandy Hook Families filed their Objection to Debtor's Emergency Motion for an Interim and Final Orders (I) Authorizing the Use of Cash Collateral Pursuant to Sections 105, 361, and 363 of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 4001(B) and (II) Granting Adequate Protection to the Pre-Petition Secured Lender [Dkt. 27].

WHEREAS, on August 5, 2022, the Court entered the Interim Order Authorizing Debtor's Use of Cash Collateral and Providing Partial Adequate Protection (the "Interim Order") [Dkt. 41].

WHEREAS, on August 11, 2022, the Debtor filed its Emergency Motion to Amend Interim Order Authorizing the Use of Cash Collateral [Dkt. 55].

WHEREAS, on August 12, 2022, the Connecticut Plaintiffs filed their Objection to Debtor's Emergency Motion to Amend Interim Order Authorizing the Use of Cash Collateral [Dkt. 56].

WHEREAS, on August 12, 2022, the Texas Plaintiffs filed their Joinder to the Connecticut Plaintiffs' Objection to Debtor's Emergency Motion to Amend Interim Order Authorizing the Use of Cash Collateral [Dkt. 57].

WHEREAS, on August 12, 2022, the Court entered the Order Modifying Interim Order Authorizing the Use of Cash Collateral and Providing Partial Adequate Protection [Dkt. 64].

WHEREAS, prior to the Petition Date, the Connecticut Plaintiffs commenced state-court actions against the Debtor styled *Lafferty, et al. v. Jones, et al.*, Case No. X06-UWY-CV-18-6046436-S, in the Superior Court of Connecticut, Judicial District of Waterbury; *Sherlach v. Jones, et al.*, Case No. X06-UWY-CV-18-6046437-S, in the Superior Court of Connecticut, Judicial District of Waterbury; and *Sherlach, et al. v.*

Jones, et al., Case No. X06-UWY-CV-18-60464386-S, in the Superior Court of Connecticut, Judicial District of Waterbury.

WHEREAS, on July 31, 2022, the Connecticut Plaintiffs filed their Emergency Motion for Relief from the Automatic Stay (the “Emergency Motion”) [Dkt. 15].

WHEREAS, on August 17, 2022, the Debtor filed its Response to Emergency Motion for Relief from the Automatic Stay [Dkt. 78].

WHEREAS, a hearing on the Cash Collateral Motion and the Emergency Motion is set for August 24, 2022 at 10 a.m.

WHEREAS, the deadline to file exhibit and witness lists pursuant to LR-9013-2 is August 22, 2022 at 12:00 p.m.

WHEREAS, the parties agreed to extend the deadline to file exhibit and witness list until August 23, 2022 at 12:00 p.m. with a Stipulation and Agreed Order, which the Bankruptcy Court approved;

WHEREAS, the Parties are in still in discussions to reach a resolution on both the Cash Collateral Motion and the Emergency Motion and seek to conserve resources.

NOW, THEREFORE, IT IS STIPULATED BY THE PARTIES AND, UPON APPROVAL BY THE BANKRUTPCY COURT, ORDERED THAT:

1. The deadline to file an exhibit and witness list for the hearing on the Emergency Motion and the Cash Collateral Motion is extended to August 23, 2022 at 7:00 p.m.

Signed: _____

Christopher Lopez
United States Bankruptcy Judge

STIPULATED AND AGREED ON AUGUST 23, 2022 BY AND AMONG:

THE CONNECTICUT PLAINTIFFS

_____/s/ Ryan E. Chapple

Ryan E. Chapple

State Bar No. 24036354

rchapple@cstrial.com

CAIN & SKARNULIS PLLC

303 Colorado Street, Suite 2850

Austin, Texas 78701

512-477-5000

512-477-5011—Facsimile

and

Randy W. Williams

State Bar No. 21566850

rww@bymanlaw.com

BYMAN & ASSOCIATES PLLC

7924 Broadway, Suite 104

Pearland, Texas 77581

281-884-9262

-and-

THE TEXAS PLAINTIFFS

_____/s/ Jarrod B. Martin

Avi Moshenberg

State Bar No. 24083532

avi.moshenberg@mhllp.com

McDOWELL HETHERINGTON LLP

1001 Fannin Street, Suite 2700

Houston, Texas 77002

P: 713-337-5580

F: 713-337-8850

and

Jarrold B. Martin
State Bar No. 24070221
jarrod.martin@chamberlainlaw.com
CHAMBERLAIN, HRDLICKA, WHITE, WILLIAMS & AUGHTRY, PC
1200 Smith Street, Suite 1400
Houston, Texas 77002
T: 713-356-1280
F: 713-658-2553

-and-

FREE SPEECH SYSTEMS, LLC

/s/Kyung S. Lee
Raymond W. Battaglia
State Bar No. 01918055
rbattaglia@outlook.com
LAW OFFICES OF RAY BATTAGLIA, PLLC
66 Granburg Circle
San Antonio, Texas 78218
Tel: (210) 601-9405

and

Kyung S. Lee
State Bar No. 12128400
klee@shannonleellp.com
R. J. Shannon
State Bar No. 24108062
rshannon@shannonleellp.com
SHANNON & LEE LLP
700 Milam Street, Suite 1300
Houston, Texas 77002
Tel: (713) 714-5770